

REGULAR CITY COUNCIL MEETING
May 12, 1997

PRESENT

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| Don Dafoe | Mayor |
| Gayle Bunker | Council Member |
| Robert Dekker | Council Member |
| Robert Droubay | Council Member |
| Dale Roper | Council Member |
| Glen Swalberg | Council Member |

ABSENT

None

ALSO PRESENT

| | |
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| Dorothy Jeffery | City Recorder |
| Neil Forster | Public Works Director |
| Richard Waddingham | City Attorney |
| Greg Schafer | City Employee |

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Dale Roper offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of Public Hearing #1 held April 28, 1997 were presented for consideration. Council Member Glen Swalberg MOVED to approve the minutes of Public Hearing #1 held April 28, 1997, as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of Public Hearing #2 held April 28, 1997 were presented for consideration. Council Member Gayle Bunker MOVED to approve the minutes of Public Hearing #2 held April 28, 1997, as presented. The motion was SECONDED by Council Member Dale Roper. Mayor

Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held April 28, 1997 were presented for consideration. Council Member Dale Roper questioned the language on Page 7, paragraph 3 regarding changing the 45 degree angle parking to parallel parking on 200 West from Main Street to 50 South. It was Council Member Roper's understanding that the parking would be changed to parallel parking on 200 West from Main Street to 100 South. Public Works Director Forster clarified that the parking change would include the entire block from Main Street to 100 South.

Council Member Roper also requested that a change be made on Page 5, paragraph 4 regarding the Draft Purchasing Policy, to include "any purchase in the amount of \$5,000 to \$25,000 will require a written bid".

Following discussion of changes to the proposed minutes, Council Member Dale Roper MOVED to approve the minutes of the Regular City Council Meeting held April 28, 1997, as corrected above. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following discussion of the accounts payable, Council Member Glen Swalberg MOVED to approve the Accounts Payable, in the amount of \$60,503.91. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no unfinished business items on the agenda.

NEW BUSINESS

MAYOR DON DAFOE: DELTA CITY TENTATIVE BUDGET FOR FISCAL YEAR 1997-1998.

Mayor Dafoe stated that a Public Hearing for the purpose of receiving public comment regarding the proposed Delta City Tentative Budget for Fiscal Year 1997-98 was held just prior to this meeting with no negative comment received. Mayor Dafoe advised the Council that a Budget Work Session will be held for the purpose of reviewing and making changes to the Tentative Budget. City Attorney Waddingham advised the Council that adoption of the Tentative Budget does not require a resolution but does require a roll call vote. Mayor Dafoe stated that the total

amount of the Fiscal Year 1997-1998 Tentative Budget is \$2,477,530 and represents an approximately \$23,000 increase over the 1996-1997 Budget. Mayor Dafoe pointed out that there are no salary increases included in the Tentative Budget. Figures for salary increases will be available for the Budget Work Session.

Mayor Dafoe advised the Council that the next City Council Meeting date would be May 26, 1997, which is Memorial Day and the following City Council Meeting date would be June 9, 1997. Discussion was held regarding a date for the Budget Work Session. The Budget Work Session was scheduled for Tuesday, May 27, 1997 at 10:00 a.m.

Following discussion, Council Member Robert Dekker MOVED to adopt the Delta City Tentative Budget for Fiscal Year 1997-1998 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

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| Gayle Bunker | Yes |
| Robert Dekker | Yes |
| Robert Droubay | Yes |
| Dale Roper | Yes |
| Glen Swalberg | Yes |

MAYOR DON DAFOE: ZONE CHANGE FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO COMMERCIAL DEVELOPMENT (C-D) FOR PROPERTY LOCATED BETWEEN 50 SOUTH AND 100 SOUTH AND BETWEEN 150 WEST AND 200 WEST.

City Attorney Waddingham distributed to the Council copies of a proposed ordinance as follows:

ORDINANCE NO. 97-180

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO COMMERCIAL DEVELOPMENT (C-D) FOR PROPERTY LOCATED BETWEEN 50 SOUTH AND 100 SOUTH AND FROM 150 WEST TO 200 WEST.

Mayor Dafoe stated that this is a zone change recommended by the Planning & Zoning Commission concerning the property between 50 South and 100 South and between 150 West and 200 West, which is owned by Utah Power & Light. The property is currently zoned Multiple Family Residential (R-4) and this will change it to Commercial Development (C-D), the same as the adjacent property owned by Millard County, which was recently re-zoned. Council Member Gayle Bunker MOVED to approve Ordinance No. 97-180 to amend the Zone District Boundaries

to reclassify certain property from Multiple Family Residential (R-4) to Commercial Development (C-D) for property located between 50 South and 100 South and between 150 West and 200 West. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

| | |
|----------------|-----|
| Gayle Bunker | Yes |
| Robert Dekker | Yes |
| Robert Droubay | Yes |
| Dale Roper | Yes |
| Glen Swalberg | Yes |

OTHER BUSINESS

Mayor Dafoe stated that he and several of the Council Members have discussed repainting the interior and replacing the carpet in the City Building. Mayor Dafoe advised the Council that two businesses have been asked to prepare bids for carpet replacement and two individuals have been requested to submit bids for repainting the interior of the building. It was noted that one individual has submitted a bid for repainting but he is not licensed. The other individual who is preparing a bid for painting is licensed and insured. He advised City Recorder Dorothy Jeffery that his liability insurance requires that someone be with him when he is moving furniture and all personal belongings in the offices must be removed by the employees prior to painting the offices. The Council will need to determine whether to amend the current year budget to include these items or whether to include it in next year's budget.

Mayor Dafoe advised the Council that the contract has been received from Sandstrom Architects for architectural fees on the library expansion and has been reviewed by City Attorney Waddingham. The contract has been signed and was returned to Sandstrom Architects today. City Attorney Waddingham stated that the contract was a one-sided contract, as all engineering and architectural contracts are, and the problem he noted was the fact that Sandstrom Architects will be acting as the agent for Delta City in the construction. Attorney Waddingham also feels there is a problem with the contract not giving definitions of terms used. As a result, the payment schedule, and other terms, are ambiguous. Attorney Waddingham will write a memorandum regarding his concerns with the contract, which will be filed in the library expansion file. Council Member Swalberg requested that the Council be certain to get the contract right in order to avoid numerous and costly addendums. Sandstrom Architects require a \$500 payment up front, which will be sent to them tomorrow, Tuesday, May 13, 1977.

Council Member Dale Roper asked Public Works Director Forster how the City clean up went. Mr. Forster stated that the clean up went exceptionally well this year. The City crew has worked

four full days and part of a fifth day and have hauled off a total of approximately 40 loads of trash and debris.

Mayor Dafoe advised the Council that he had talked with John Sentker, owner of Delta IGA, regarding the plans for curb and gutter on 400 West from Main Street to 100 South. Mr. Sentker advised Mayor Dafoe that he would support the City on installation of curb and gutter and, also, enforcement of parallel parking on the West side of his store.

After the storm drain was installed on 400 West, there were problems with the irrigation ditch. This week, the irrigation pipe which crosses the street will be replaced in order to allow time for settling prior to installation of curb and gutter.

Mayor Dafoe stated that he had talked with Mr. Loe regarding the "For Sale" automobiles parked on his property between 350 and 400 East Main. Mr. Loe advised Mayor Dafoe that he is going to tell the automobile owners to remove them from the property.

Council Member Glen Swalberg advised Public Works Director Forster that the alley at 50 South and 400 West has sunken considerably since the installation of the storm drain on 400 West. Public Works Director Forster advised Council Member Swalberg that the City crew will be working in that area tomorrow.

Council Member Robert Droubay advised the Council that there are several L.D.S. wards which, as their Sesquicentennial service project, would like to improve the fence at the Delta Cemetary. There was discussion regarding the type of fence to be constructed and what materials could be donated for the project. Council Member Droubay questioned whether the City would be willing to provide the fencing material if the L.D.S. ward members provided the labor. The Council requested that Public Works Director Forster check on prices for materials only for a four foot chain link fence with a top rail.

Council Member Droubay reported that he now has commitments for approximately \$15,000 in donations for the marquee project. In order to acquire the remaining \$15,000, it appears necessary to either have the City fund it or go to other businesses for donations. Mayor Dafoe felt that the City should include \$5,000 in the budget for 1997-1998 to add to the \$10,000 already

set aside for the project. Council Member Droubay mentioned that he had received a suggestion that, rather than requesting donations from an "elite ten" businesses, allow any business to donate in whatever amount they can. There are currently three businesses who have committed for \$3,000, two have committed \$2,000 and some others have committed \$1,000. The Council recommended that donations be opened up to any and all businesses, in whatever amounts they can donate.

Mayor Dafoe advised the Council that Millard School District advertised for bids for curb and gutter on 450 North and received a low bid from Remkes Concrete in Fillmore. The bid was awarded to Remkes.

Attorney Waddingham asked Mayor Dafoe if there is a priority list for street improvements this year. Mayor Dafoe stated that there has not been a priority list put together this year, but he has advised Raymond Smith, of West Side Grading, that we want to improve 200 South from approximately 200 East to 350 East. In addition, there will be an overlay on 300 North. There are funds available to improve streets but the number to be completed this year will depend on how much West Side Grading can do.

Council Member Gayle Bunker asked who is responsible for pick up of dead animals on city streets. Public Works Director Forster stated that the City crew picks them up if they are advised that it needs to be done, or if they see dead animals on the streets.

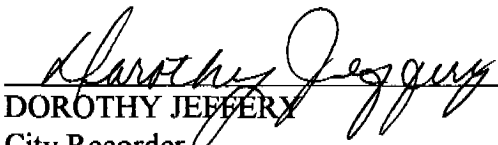
Council Member Gayle Bunker asked if the Council had chosen a Grand Marshall for the Fourth of July celebration. Council Member Droubay advised the Council that the Fourth of July Committee is meeting on Monday, May 19th and they will come up with some suggestions for the Council to consider.

Mayor Dafoe asked if there were any other comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Dafoe declared the meeting adjourned at 8:00 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
City Recorder

MINUTES APPROVED: RCCM 06-09-97